

DT02 Rec'd PCT/PTO 27 JAN 2005

PCT #3

ATTORNEY'S DOCKET HIR-117
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:) Group Art Unit:
Hiroharu ARAKAWA, et al.)
Serial No. 10/509,061) Examiner: Unknown
Filed: September 24, 2004)

For: COMBINED USE OF ANTITUMOR INDOLOPYRROLOCARBAZOLE DERIVATIVE
AND OTHER ANTITUMOR AGENT

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[X] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

- [] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or
[] ii. a check in the amount of \$ required by 37 C.F.R. §1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.

PETITION: It is requested that the information being submitted be considered. [NOTE: If box (c) is checked, the following two boxes must be checked.]

☐ PETITION FEE: A check for \$180.00 required by 37 CFR §1.17(p), is enclosed.

☐ CERTIFICATION is attended to in box (e) below.

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 19-1980.

Respectfully submitted,

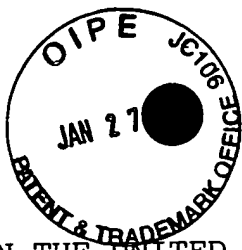
SHERMAN AND SHALLOWAY

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#3

HIR-117

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Hiroharu ARAKAWA, et al.

Serial No.: 10/509,061

Group:

Filed: September 24, 2004

Examiner:

FOR: COMBINED USE OF ANTITUMOR INDOLOPYRROLOCARBAZOLE DERIVATIVE
AND OTHER ANTITUMOR AGENT

Date: January 25, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

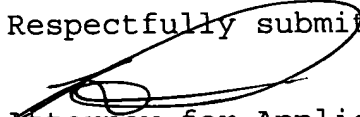
Sir:

In accordance with their obligation under 37 C.F.R.
§1.56, Applicants would like to call the Examiner's attention to
the documents listed on the attached forms SB-08A

Applicants note that all of the documents listed are
cited in the International Preliminary Examination Report in the
international phase of subject application and copies of the
references are being provided for the Examiner's convenience.
Documents 1 and 2 noted in the International Preliminary

Examination Report were previously cited in the International Search Report and copies were provided with Applicants' Information Disclosure Statement filed October 20, 2004.

Applicants are not aware at this time of any other prior art which could be considered to be relevant to the present application.

Respectfully submitted,

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JAN 27 2005

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/509,061
Filing Date	September 24, 2004
First Named Inventor	ARAKAWA
Art Unit	
Examiner Name	
Attorney Docket Number	HIR-117

Sheet 1 of 1

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		EP 0 545 195	06-09-1993	Banyu Pharmaceu		
		JP 10 245390	09-14-1998	Banyu Pharmaceu		235
		WO 97/9339	03-13-1997	Banyu Pharmaceu		165

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.